

AMENDED IN SENATE MAY 11, 2010

**Senate Joint Resolution**

**No. 31**

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**Introduced by Senator *Senators Pavley and Alquist***  
**(Coauthors: *Senators Correa, DeSaulnier, Leno, Liu, Steinberg, and***  
***Strickland*)**

April 27, 2010

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Senate Joint Resolution No. 31—Relative to persons with disabilities.

LEGISLATIVE COUNSEL'S DIGEST

SJR 31, as amended, ~~Alquist~~ *Pavley*. Individuals with disabilities: tax exempt accounts.

This measure would urge the President and the Congress of the United States to immediately enact the Achieving a Better Life Experience Act of 2009.

Fiscal committee: no.

1 WHEREAS, Many families are searching for a way to plan for  
2 the future of a child with developmental disabilities, which are  
3 costly to society and to families; and  
4 WHEREAS, ~~H.R. 1205~~, The Achieving a Better Life Experience  
5 Act of 2009 (ABLE Act), *proposed in H.R. 1205 and S. 493*  
6 currently debated by Congress, would create disability savings  
7 accounts for individuals with disabilities and their families, as a  
8 way to save for future needs that could accrue interest tax free;  
9 and  
10 WHEREAS, The ABLE Act would give individuals with  
11 disabilities and their families an option for saving for their future  
12 financial needs in a way that supports their unique situation and

1 makes it more feasible to live full and productive lives in their  
2 communities; and

3 WHEREAS, While many families are currently able to save for  
4 the educational needs of children through “529” college tuition  
5 plans, these plans do not fit the needs of children with  
6 developmental disabilities; and

7 WHEREAS, Many families recognize that loved ones with  
8 developmental disabilities may live for many decades beyond the  
9 ability of the parents or other family members to provide financial  
10 assistance and support; and

11 WHEREAS, Many families also want to ensure the financial  
12 security of family members who have the level of disability  
13 required for Medicaid eligibility, but for now, are managing to  
14 function without the use of those benefits and state resources; and

15 WHEREAS, The ABLE Act would create a savings fund for  
16 those with developmental disabilities that could be drawn upon  
17 for a variety of essential expenses, including medical and dental  
18 care, education and employment training and support, assistive  
19 technology, housing and transportation, personal support services,  
20 and other expenses for life necessities; and

21 WHEREAS, Savings accounts opened under the ABLE Act  
22 would provide substantial flexibility to meet the specific needs of  
23 the individual, with a broad array of allowable expenses and no  
24 age limitations so that these funds can be used whenever they are  
25 needed; and

26 WHEREAS, The flexibility in expenses would also allow  
27 families to save with confidence even though they cannot always  
28 predict how independent their child will become; now, therefore,  
29 be it

30 *Resolved by the Senate and the Assembly of the State of*  
31 *California, jointly*, That the California State Legislature urges the  
32 President and the Congress of the United States to immediately  
33 enact the Achieving a Better Life Experience Act of 2009 (ABLE  
34 Act); and be it further

35 *Resolved*, That the Secretary of the Senate transmit copies of  
36 this resolution to the President and Vice President of the United  
37 States, to the President pro Tempore of the United States Senate,  
38 to the Speaker of the House of Representatives, to each Senator

- 1 and Representative from California in the Congress of the United
- 2 States, and to the author for appropriate distribution.

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